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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,049	12/28/1999	TORU KAMIWADA	1405.1014/JD	9543

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EXAMINER

LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 02/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/473,049

Applicant(s)

KAMIWADA ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 15-24 is/are rejected.
- 7) ☒ Claim(s) 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to communications: Amendment A filed 10/6/03.
2. Claims 1-24 are pending in the case. Claims 1, 9, 15, 17, and 20-22 are independent claims.
3. The rejection of claims 1-14 under 35 U.S.C 103(a) as being unpatentable over Pant in view of Downs has been withdrawn as necessitated by the Applicant's arguments.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner respectfully notes the recited claim language, "*the above operations are repeated*", fails to disclose which of the operations contained within the limitations stated in claim 9 are repeated. Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. ^{9,10 4615}
Claims 1, 2, 6, and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackinlay, USPN 6,088,032 filed (10/4/96).

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In reference to independent claim 1, Mackinlay teaches:

A storage means for storing documents based on three main levels: a Focus Space (for the document objects in active use), Immediate Memory Space (for document objects in use) and Tertiary Space (for document objects not in use). See column 6, lines 60-67. The methods as taught by Mackinlay provide a reasonable interpretation (as presently claimed) of a *display priority* for each separate document within a linked document environment.

The reference teaches separate private and public “shelves” on the bookcase (or even separate private and public bookcases). See column 8, lines 30-35. The methods disclosed provide an analysis means for determining where documents are placed within a display space. The reference does not explicitly disclose the structure analysis method based on “*structure information*”; however, because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the content that is centrally updated and maintained as taught by Mackinlay provides a reasonable interpretation of *structure information* within a document (as presently claimed). Therefore, it would have been obvious to one of ordinary skill in the art, having the updated content (i.e. WebBook, HTML formatted documents) of Mackinlay to modify a web access request performed with retrieved web pages being brought into the document workspace for subsequent interaction and utilizing the content information within the text and image data documents for determining the display of a private and public shelves as taught by Mackinlay, because it would have given the user the added benefit of enhanced manipulation of the collection being displayed.

The internal representation of a document object is as a data structure having content data representing the information, i.e. text or image, that the document object represents and

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information for indicating how the content data will be processed for rendering and display. See column 9, lines 20-29. The data structures disclosed within Mackinlay provide a proficient suggestion of a structure analysis means (as currently claimed) for manipulation of documents linked collectively.

In reference to dependent claim 2, Mackinlay teaches:

The internal representation of a document object is as a data structure having content data representing the information, i.e. text or image, that the document object represents and information for indicating how the content data will be processed for rendering and display. See column 9, lines 20-29. The data structures disclosed within Mackinlay provide a proficient suggestion of a structure analysis means (as currently claimed).

In reference to dependent claim 6, Mackinlay teaches:

A preferred embodiment designed to perform multiple tasks concurrently, so one document object may be interacted with by the user and concurrently, a web access request may be performed with retrieved web pages being brought into the document workspace for subsequent interaction. The newly received page may be the result of accessing a linked page on a page being interacted with or the result of a Web search request. The reference provides a collection of distinct documents based on the analysis of base document within a workspace. These documents are stored in the Tertiary space as taught by Mackinlay. See column 8, lines 10-35. The reference provides a reasonable suggestion of a structure analysis means for scanning documents based on a link of a single active document.

In reference to independent claim 9, Mackinlay teaches:

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A document object being interacted with by a user while other documents are searched based upon a link within the active document within the user's workspace (compare to "*determining a starting point document to be used as a starting point when analyzing the structure information of the plurality of electronic documents*"). See column 8, lines 20-39. The linking methods taught by Mackinlay provide a reasonable interpretation of a starting point document as well as retrieving pages after examining structural information of the selected HTML document. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the document link information within the structure information of the active document for calculating the display priority of each of the linked documents, because the preferred embodiment of the reference is to perform multiple tasks concurrently and retrieve documents based upon one active document in the user's workspace.

The received page space is an area in the document workspace wherein newly retrieved pages are displayed. The reference discloses a method for specifying a display document to be displayed on the display apparatus based on the link information within the active document. See column 27-30. It does not explicitly disclose a display priority; however A storage means for storing documents based on three main levels: a Focus Space (for the document objects in active use), Immediate Memory Space (for document objects in use) and Tertiary Space (for document objects not in use), See column 6, lines 60-67, as taught by Mackinlay, provide a reasonable interpretation (as presently claimed) of a *display priority* for each separate document. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have repeated the above-mentioned steps for determining constituent documents that constitute a document group structure, adding and storing the structure information in the document structure

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based on a single displayed document to create the workspace as taught by Mackinlay. The reference further discloses a document object may be a document collection or a document. Such document objects have links to other document objects.

In reference to dependent claim 10, Mackinlay teaches:

A method of allowing a document/document collection within the workspace to become the focus space within a workspace. The reference provides a reasonable suggestion of a document being brought to the forefront and suggests having a priority as compared to other retrieved information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized the document brought into the focus space as the starting point for further retrieving, because it gives the user an unobtrusive view of the focused document. See column 8, lines 40-60.

In reference to independent claim 18, 19, 20, and 21, the reference discloses similar limitations to those of independent claim 1 & 9, and therefore is rejected under similar rationale.

In reference to claims 22-24, the claims recite the apparatus for carrying out similar methods of claims 1 & 9, and therefore are rejected under similar rationale.

8. Claims 3, 4, 5, 7, 8, 11, and 12 are rejected under 35 U.S.C 103(a) as being unpatentable over Mackinlay and further in view of White et al., USPN 6,034,689 filed (6/3/1996).

In reference to dependent claim 3, 4, 5 Mackinlay teaches:

A document workspace arranged hierarchically, based on interaction rates, into three main levels, which provides a reasonable suggestion of the display priority method within the claim's limitations. However, the reference fails to disclose a display priority that is a value

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larger than a predetermined display set value. White teaches predetermined set value for resolving the difficulty of overlapping between anchors within HTML documents. The selectable list is sorted as it is generated according to an insertion sort routine. It would have been obvious to one of ordinary skill in the art, having the teachings of Mackinlay and White before him at the time the invention was made, to modify the prefetching linked document methods to include the sizing display constraints of White, because the constraints would have provided proficient means for eliminating overlapping within the image data within the 3 dimensional document workspace.

In reference to claims 7 & 8, the claims recite similar limitations to those of claims 3 & 4, and therefore are rejected under similar rationale.

In reference to claims 11 & 12, the claims recite similar limitation to those of claims 3 & 4, and therefore are rejected under similar rationale.

9. **Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoub, USPN 6,389,437 filed (1/7/98).**

In reference to independent claim 15, Stoub discloses:

Discloses a display window wherein the display window may include the entire viewing area of the screen or may include only a smaller, selected portion of the available viewing area of the screen. The reference further teaches a first formatting means, such as in the form of a screen page formatting mechanism of the page-forming mechanism, is configured to form a screen page dimensioned to fit within the viewing area of the display window and to thereby limit the quantity of electronic information available for printing. See column 5, lines 50-57.

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The screen page formatting mechanism is configured to automatically determine the manner in which electronic information, referred to as source document, will be displayed in the display window. See column 59-67.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Stoub to include a predetermined position between the first and second documents, because it would have provided the user the added benefit of managing desired characteristics of a document within relative positions of the documents.

In reference to dependent claim 16, the claim recites similar subject matter to that of independent claim 15, and therefore is rejected under similar rationale.

In reference to independent claim 17, the claim recites the apparatus of independent claim 15, and therefore is rejected under similar rationale.

Allowable Subject Matter

10. Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

11. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043.

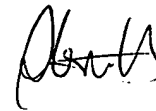
The examiner can normally be reached on 8:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
February 13, 2004



STEPHEN S. HONG
PRIMARY EXAMINER